

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 6:18-CR-48
	§	Judge Schroeder/Love
JORGE FERNANDO MERCADO	§	

FACTUAL BASIS

Investigation by the United States Fish and Wildlife Service, Criminal Investigation Division, and Texas Parks and Wildlife, Game Warden Division, disclosed the following facts that establish that I, the Defendant, Jorge Fernando Mercado, violated 16 U.S.C. §§ 703 and 707(a) (Violation of the Migratory Bird Treaty Act). I accept the following factual basis as true and correct:

1. On September 30, 2017 in Van Zandt County, Texas, **Jorge Fernando Mercado**, knowingly possessed, and then sold, a live Eastern Screech-Owl (*Megascops asio*) to another individual for ~~\$300.00~~ ^{\$200.00}.
2. The above referenced bird species is a “migratory bird” as that term is defined in 50 C.F.R. Section 10.11 *et seq.* and 16 U.S.C. Section 715(j) in that is are among the species listed in 50 C.F.R. 10.13, which lists the migratory birds included in the terms of the conventions between the United States and Great Britain, Mexico, Japan, and Russia.
3. **Jorge Fernando Mercado** knowingly possessed and sold the above-referenced Eastern Screech-Owl without a valid permit or authorization.

4. The defendant, **Jorge Fernando Mercado**, acknowledges that these facts constitute a violation of 16 U.S.C. §§ 703 and 707(a) (Violation of the Migratory Bird Treaty Act). He hereby stipulates that the facts described above are true and correct and accepts them as the uncontroverted facts of this case.

Dated: 11-20-18

Mercado Jorge
JORGE FERNANDO MERCADO
Defendant

Defendant's Counsel's Signature and Acknowledgment:

I have read this Factual Basis and the Plea Agreement in this matter and have reviewed them with my client, **Jorge Fernando Mercado**. Based upon my discussions with my client, I am satisfied that he understands the terms and effects of the Factual Basis and the Plea Agreement and that he is signing this Factual Basis voluntarily.

Dated: 11/20/18

MSTH
MATTHEW PILLADO
Attorney for Defendant